

**REMARKS/ARGUMENTS**

Claims 1-29 are pending in the present application. Claims 1, 3-9, 12-14 and 16-19 are amended. Claims 20-29 are new. Claims 1, 12, 14 and 24 are independent.

**Prior Art Rejections**

Claims 1-3, 6-11, 14-16 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 6, 370,146 to Higgins et al. (hereinafter "Higgins") in view of U. S. Patent No. 6,301,254 to Chan et al. (hereinafter "Chan"). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed for the following reasons.

As amended, independent claims 1 and 14 each recites operating a given node, which is inserted into operations of an ATM ring, as a pass through for ATM traffic on the ring before a virtual path is established for the given node. Applicants respectfully submit that this feature is neither taught nor suggested by Higgins and Chan, either taken alone or in combination with one another.

Higgins discloses a method for adding a node to a ring network. In Higgins, the neighboring nodes of the inserted node are controlled to operate in loopback mode, in which traffic is redirected away from the inserted node (i.e., in the opposite direction from which the traffic is received by the neighboring

nodes). The neighboring nodes of Higgins remain in loopback mode until the inserted node is configured for network communications.

In the outstanding Office Action (Section 2, pages 2-3), the Examiner admits that Higgins fails to disclose operating an inserted node as a pass through. However, the Examiner relies upon Chan to remedy this deficiency.

Applicants respectfully submit that Chan fails to disclose operating an inserted node as a pass through for traffic before a virtual path is established for the inserted node, as required by independent claims 1 and 14.

Chan discloses that an inserted node is assigned a sequential number based on its position in the network. Chan further discloses that the inserted node may be assigned a sequential number that had previously belonged to another node, thus requiring the sequential numbering of the other nodes to change. Chan teaches that the look-up tables (LUTs) of each node is updated to reflect the new sequential numbering.

According to Chan, the updating of the LUTs is performed in order to allow previously configured virtual paths (VPs) to pass through the newly added node. Accordingly, Chan discloses that the inserted node operates as a pass through for ATM traffic after the virtual paths have been updated (i.e., the LUTs have been updated) based on the insertion of the node.

As such, Chan provides no teaching or suggestion that an inserted node allows traffic to pass through before a virtual path has been established for the inserted node. Accordingly, Applicants respectfully submit that independent

claims 1 and 14 are allowable because Higgins and Chan fail to teach or suggest every claimed feature. Furthermore, Applicants respectfully submit that claims 2, 3, 6, 7, 15, 16 and 19 are allowable at least by virtue of their dependency on claims 1 and 14.

Independent claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chan. This rejection, insofar as it pertains to presently pending claim 12, is respectfully traversed for the following reasons.

Independent claim 12 recites instructing nodes on an ATM ring to update ring topology information to indicate that a failed node is removed from the ring. Applicants respectfully submit that Chan does not teach or suggest this feature.

Chan fails to disclose anything with respect to the removal of a failed node from a ring network. Chan discloses that a particular node detects a failure when it does not receive a message from a neighboring node via a particular link. Upon detection of such a failure, Chan discloses that the detecting node broadcasts a notification signal to other nodes regarding the particular failure. Applicants respectfully submit that Chan's nodes do not distinguish between link failures and node failures.

Furthermore, Chan's nodes do not update network topology information to indicate that a particular node is removed based on a detected fault. Rather, Chan discloses that each node responds to a failure by examining the virtual path identifier (VPI) in the header of received ATM cells to determine whether

the cell is heading toward the failure. If so, the node will change the VPI in the ATM cell header to redirect the cell to an alternate path that avoids the failure.

Accordingly, Chan provides no teaching or suggestion of updating ring topology information in a node to indicate that another failed node has been removed from the ring, as required by independent claim 12. Accordingly, Applicants respectfully submit that claim 12 is allowable.

Claims 4 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Higgins and Chan in view of U. S. Patent No. 6,366,556 to Ballintine et al. (hereinafter "Ballintine"). Applicants respectfully submit that Ballintine fails to remedy the deficiencies of Higgins and Chan as set forth above in connection with independent claims 1 and 14. Accordingly, Applicants respectfully submit that claims 4 and 17 are allowable at least by virtue of their dependency on claims 1 and 14.

Claims 5 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Higgins and Chan in view of U. S. Patent No. 5,500,857 to Nakata (hereinafter "Nakata"). Applicants respectfully submit that Nakata also fails to remedy the deficiencies of Higgins and Chan set forth above in connection with independent claims 1 and 14. Accordingly, Applicants respectfully submit that claims 5 and 18 are allowable at least by virtue of their dependency on claims 1 and 14.

Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chan, as applied to claim 12, in view of Higgins. Applicants respectfully

submit that Higgins fails to remedy the deficiencies of Chan listed above in connection with independent claim 12. Thus, Applicants submit that claim 13 is allowable at least by virtue of its dependency on claim 12.

**Conclusion**

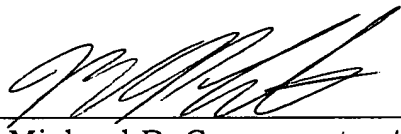
In view of the above amendments and remarks, the Examiner is respectfully requested to reconsider and withdraw the various claim rejections. Thus, Applicants respectfully request the Examiner to issue a Notice of Allowance in connection with the presently pending claims.


Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is invited to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned in order to discuss the application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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